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PROMOTION AND PROTECTION OF HUMAN RIGHTS

The enhancement of international cooperation in the field of human rights

Report of the High Commissioner for Human Rights submitted in accordance with Commission resolution 1999/68

CONTENTS

		Paragraphs	Page
Introduction		1 - 3	2
I.	INTERNATIONAL COOPERATION: PRINCIPLES	4 - 10	2
II.	ENHANCING INTERNATIONAL COOPERATION	11 - 17	3

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Introduction

1. At its fifty-fifth session, the Commission on Human Rights, in its resolution 1999/68, called upon States, intergovernmental organizations and specialized agencies to continue to carry out constructive dialogue and consultations for the enhancement of understanding and the promotion and protection of all human rights and fundamental freedoms, and encouraged non-governmental organizations to contribute actively to this endeavour.

2. The Commission invited States and all relevant United Nations human rights mechanisms and procedures to pay continued attention to the importance of mutual cooperation, understanding and dialogue.

3. The Commission requested the United Nations High Commissioner for Human Rights to submit a report on ways and means of enhancing cooperation in the field of human rights to the Commission at its fifty-seventh session.

I. INTERNATIONAL COOPERATION: PRINCIPLES

4. The concept of international cooperation in the field of human rights has been expressed in different ways. According to Article 1, paragraph 3, of the Charter of the United Nations, one of the purposes of the United Nations is "to achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction ...." Both the Charter (Articles 55 and 56) and Universal Declaration of Human Rights (preamble) emphasize that States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms. These principles have been further elaborated in the Declaration on Principles of International Law Concerning Friendly Relations and Cooperation among States in Accordance with the Charter of the United Nations (General Assembly resolution 2625 (XXV) of 24 October 1970).

5. The importance of such international cooperation has also been recognized in international human rights instruments. Notably, common article 1, paragraph 2, of the two International Covenants on Human Rights recalls the importance of obligations arising out of international cooperation. Article 2, paragraph 2, of the International Covenant on Economic, Social and Cultural Rights stresses that each State party "undertakes to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures". A similar provision is found in article 4 of the Convention on the Rights of the Child. The inter-State complaints mechanism under article 41 of the International Covenant on Civil and Political Rights and article 11 of the International Convention on the Elimination of All Forms of Racial Discrimination is also a potentially important means for cooperation in the field of human rights, as it provides a vehicle for States to seek resolution of human rights concerns.

6. Article 3, paragraph 3, of the Declaration on the Right to Development reaffirms the duty of States to cooperate "with each other in ensuring development and eliminating obstacles to development" and promoting "mutual interest and cooperation among all States". The Declaration provides guidance for realizing development and human rights in a complementary and comprehensive manner, and identifies international cooperation as a duty of the international community; in this framework, international cooperation should focus on the elimination of obstacles to development resulting from failure to observe civil, cultural, economic, political and social rights and the formulation of international development policies for ensuring development and eliminating obstacles thereto.

7. Enhanced international cooperation in the field of human rights for the full achievement of the purposes of the United Nations was further recognized in the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights in June 1993. In its resolution 48/141, which created the post of United Nations High Commissioner for Human Rights, the General Assembly requested the High Commissioner to enhance international cooperation in the field of human rights.

8. Recently, the General Assembly has addressed the duty of all members of the international community to cooperate for the promotion and protection of human rights in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (resolution 53/144 of 9 December 1998). The Declaration emphasizes "the important role of international cooperation for, and the valuable work of individuals, groups and associations in contributing to, the effective elimination of all violations of human rights and fundamental freedoms of peoples and individuals, including in relation to mass, flagrant or systematic violations" of human rights.

9. The Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action have given unequivocal recognition to the principle of the universality, indivisibility, interdependence and interrelationship of all human rights.

10. The mandate of the United Nations High Commissioner for Human Rights also reaffirms the importance of universality, objectivity and non-selectivity in the consideration of human rights issues. Likewise, it has given expression to the international community's determination to treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis.

II. ENHANCING INTERNATIONAL COOPERATION

11. Today, all States have ratified at least one of the international human rights instruments. The great challenge now is to incorporate these human rights norms in national legislation, and above all to see them implemented in practice.

12. States parties to the international human rights treaties commit themselves to these obligations under the instruments to which they are parties and to submit timely periodic reports

to the relevant bodies on the implementation of those treaties. At the same time, these treaty bodies have encountered obstacles, such as a serious backlog of reports by States parties and delays in their consideration, and overdue reports.

13. Under the international decades proclaimed by the United Nations, international cooperation is of crucial importance. The International Decade of the World's Indigenous People envisages practical forms of international cooperation to protect the rights of indigenous populations. The establishment of the Permanent Forum on Indigenous Issues by the Economic and Social Council in its resolution 2000/22 of 28 July 2000 was a major development in this area.

14. Activities under the United Nations Decade for Human Rights Education (1995-2004) aim at reinforcing the universal culture of human rights, with emphasis on practical forms of training and on the training of trainers. Human rights education remains an important means for promoting international cooperation based on human rights norms and principles.

15. The establishment of the International Criminal Court is expected to reinforce the United Nations human rights machinery in this area and its effective functioning will depend on the substantive international cooperation.

16. Various activities to strengthen regional cooperation for the promotion and protection of human rights were proposed in the Vienna Declaration and Programme of Action. In response to those proposals, the Office of the High Commissioner has initiated the development of regional and subregional strategies for strengthening institutional capacities, addressing issues of concern within geographical areas and facilitating the exchange of best practices among the countries involved.

17. Among a variety of regional and subregional activities, the following are particularly relevant initiatives undertaken in recent years (see Report of the Secretary-General on regional arrangements for the promotion and protection of human rights (A/55/279)):

(a) In Central Africa, a subregional centre for human rights had been established in Yaoundé by the end of 2000;

(b) In Asia and the Pacific, during the last two years, annual workshops on regional cooperation for the promotion and protection of human rights in Asia and the Pacific were organized in New Delhi (in 1999) and Beijing (in 2000). Through those and previous workshops (in particular the workshop held in Tehran in 1998), a consensus has been reached on the components of a Framework for Regional Technical Cooperation for the Asia-Pacific Region. The Framework has been designed to develop, inter alia: (a) national plans of action for the promotion and protection of human rights and the strengthening of national capacities; (b) human rights education; (c) national institutions for the promotion and protection of human rights; and (d) strategies for the realization of the right to development and economic, social and cultural rights;

(c) In Europe and Central Asia, the Office of the High Commissioner has continued its cooperation with regional organizations, including the Council of Europe, the Organization for Security and Cooperation in Europe and the European Union. One of the Office's priorities has been the development of a regional strategy against trafficking in human beings;

(d) Following consultations with Member States and national, subregional and regional institutions and experts in the field of human rights from Latin America and the Caribbean, the Office of the High Commissioner organized at Quito from 29 November to 1 December 1999 a regional workshop that adopted the Quito Framework for Technical Cooperation in the Field of Human Rights. Participants in the workshop represented Governments, national human rights institutions, networks of non-governmental organizations, United Nations agencies and regional institutions. The Quito Framework has served as a basis for the regional strategy of the Office of the High Commissioner in that region.